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S P E E C H

OF

MAJOR-GEN. SIR JOHN MALCOLM,

G.C.B., &c. &c.

IN THE COURT OF PROPRIETORS,

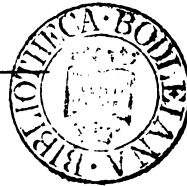
ON MONDAY, THE 15th APRIL, 1860,

ON

THE PRELIMINARY PAPERS

RESPECTING THE

EAST INDIA COMPANY'S CHARTER.



LONDON:

JOHN MURR

ABLE-STREET.

LONDON:
PRINTED BY WILLIAM CLOWES,
Stamford-Street.





Before I proceed to the question immediately before the court, I hope I shall be excused if, for a few minutes, I advert to other points, which are however not unconnected with the main subject. In the first place, we never ought to forget that, up to the year 1765, no five years have passed during which the commercial capital of the Company was not placed in hazard and jeopardy. Our system then took a settled form, under the auspices of that great man Lord Clive, who may be justly called the founder of our Indian empire. We then became possessed of some of the richest portions of our territory, which we have retained ever since. I will not here go into a dissertation as to what we have lost by commerce and gained by territory, or what we have lost by territory and gained by commerce. I will not compress the concerns of an empire into a ledger, or calculate its destinies like an account current; but I will call on the proprietors to look to the advantages which have been derived from India since the period to which I have referred—to look to the stream of wealth which has been poured from that country into England. (*Hear, hear!*) As Englishmen, we must feel gratification and pride in the possession of that immense territory; and I believe it is well known that every nation on the continent of Europe envies the great reputation which England has gained by her achievements in India. There can indeed be no doubt that England is in a considerable degree enabled to maintain her present exalted situation amongst the nations of the earth by possessing that great, that extraordinary empire. (*Hear, hear!*) England, I will maintain, has been benefited, assisted, and defended by that empire.

I desire to excite no alarm, to create no feelings which will lead men who are not acquainted with the subject to tremble for the fate of our eastern possessions; but I cannot, in justice to the country, in justice to those who are to decide on this important subject, in justice to the Company, and in justice to myself, forbear on this, perhaps the last time I shall ever be engaged in such a discussion—I cannot, on such an occasion, forbear from giving my opinions, and stating the apprehensions which I feel with respect to the future. We have subdued nations—we have overcome difficulties apparently insurmountable—we have braved many dangers successfully; but I will say that we have at this moment to encounter greater danger than we have ever before encountered—the danger arising from ourselves. (*Hear, hear!*) I speak not now of the measures proposed by ministers—to that I will apply myself by and by; but, considering the means by which we have gained a wonderful extent of empire, the government of which requires all the energies and all the calm wisdom of experienced men, I will say that the chief danger that is now to be apprehended is from proceedings which we adopt or sanction.

From the whole tenour of my life, I never can be accused of wanting a proper feeling towards the promotion of those blessings that are obtained by religious instruction; but I see no small difficulty as to the mode by which it is to be imparted in India. I think, indeed, that, in order to repress danger, the Company ought to keep down and confine within proper bounds that religious zeal (the motives of which we all must admire, for I am sure that they are pure and sincere)

which will prematurely force forward instruction of the nature of that to which I have alluded. Such a course of proceeding might lead, not only to the subversion of our Indian empire, but to the utter disappointment of all the hopes of those who are most anxious on the subject. I speak thus, with the knowledge of an unpleasant event which has recently occurred in India, but which fortunately was not attended with loss of life. In this case, the feelings of our own soldiers, or at least of a small part of them, were greatly irritated *. To meet every danger and difficulty, from this and other causes, we ought to have an efficient government abroad, and an efficient government at home : the latter ought to be enabled to arm the authorities abroad with that degree of strength and of confidence which will lead them, in the execution of their duty, to brave every calumny that may be directed against them. The great object is, without reference to minor considerations, to give the best possible government to that great empire, and to secure, as far as we can, the happiness and comfort of the people. Our conquests, our rapid conquests, have placed us in possession of a dominion of which no other country offers an example. The empire of British India stands alone in the history of the globe ; we have no precedent to guide us in govern-

* By a letter from the frontier cantonment of Jalnah, dated the 25th December, 1832, it appears the imprudent zeal of some missionaries, in circulating religious tracts, excited such violent feelings in the native part of the force, that the lives of the European part were considered, for a period, in danger. The men were calmed by the efforts of the officers, and by the burning of the offensive tracts, which are stated to have contained abuse of the religion of Brahma and of Mahomed.

ing it. Greek and Roman histories are consulted in vain ; no other country has ever been similarly situated. It is not only held by opinion, but much of it has come into our possession through the division and quarrels of the native princes. The numbers whose prospects our progress of power has destroyed, as far as their worldly interests are concerned, and the numerous nations which have lost their independence, must regard us with feelings of jealousy and hostility. Can any person in this court doubt the fact ? No : millions of individuals in India desire nothing but an opportunity of destroying that power which has destroyed their prospects, and disappointed all their views. Such persons abound in every kingdom and in every province. This proves the necessity of keeping up a firm, wise, and strong government. Am I, under these circumstances, to be accused of a want of love of liberty, because I will not impart the principles on which freedom such as we enjoy in England is founded, to our subjects in India ? Their condition is altogether unsuited to its enjoyment. How can liberty be given to a conquered people ? The first use that will be made of such a gift will be to turn their foreign masters out of the country ; and if that is effected before they are prepared for the great change, we shall replace them in greater anarchy and confusion than that in which we found them.

I will not be debarred, by any personal or prudential considerations, from stating my opinion, that that mighty engine of good and evil, a free press, is not suited to the state of India. Some persons, I know, wish the freedom of the press to be extended as much

as possible. Such a course was, however, likely to disappoint the efforts of those who recommend its adoption. While I would give to the press every latitude that is proper, I would not allow it to enter into discussions on those topics that dangerously excite the feelings of natives, and tend to lower the character and reputation of the local government. I myself made an attempt to check a native editor from promulgating opinions in a newspaper that were degrading to the government. That person very fairly and honestly told me, that the course he pursued brought him money. He professed to entertain a good opinion of me; and observed, "that if I would pay him as much as he was in the habit of receiving from the increased sale of his paper since it contained the articles objected to, he would change his tone, and praise my government." (*A laugh.*)

Having made these observations, I will say, that that man must be very rash and very ignorant, who, looking at the important bearings of this question, will attempt to decide upon it without delay or pause. It is a question, the effects of which will be found to go far beyond what is now calculated on; and with these feelings I do entreat the court to give to every part of it the deepest attention. From my habits of life I am accustomed to judge for myself, by examining every part of a question. I do not decide, as many do, upon a mere abstract view. The present question requires to be examined in all its minute parts. It is no party question,—and, in discussing it, I disclaim being a party man. Many may be disposed to think that I am a party man, on account of the course which I adopted,

when a member of parliament, with respect to the Reform Bill. That bill is now the law of the land,—and it is my duty, and the duty of every man, to assist in rendering it as beneficial as possible. I did not, however, oppose it from party spirit, but because I thought that it involved a serious diminution of the strength of the government; and, on that very ground, I am disposed to give every aid in my power, as far as my judgment will permit, to the executive government of my country. Having stated so much with respect to the general view of the question, I will say very little more on this part of the subject. I observe that frequent allusion is made, in Mr. Tucker's minute, to political economy. I completely agree with the sentiments of the Honourable Director on that science as applicable to India. I admire the science of political economy when applied to its proper use—the development and fixing of general principles. I look upon it as I would upon a great trigonometrical survey, which points out large tracts of territory on the face of the earth, but does not embrace minor details. He that attempts to march an army from one point to another by such a map will be stopped by hundreds of obstacles, which a plain practical survey would have enabled him to avoid. Political economists treat a question of human rule like one of arithmetic; and I should no more expect success from the application of their general principles in the government of so extraordinary an empire as India, than I should from the application of the wonderful machine of the ingenious Mr. Babbage, were it applied to the settlement of the disputed balance of the commercial and territorial accounts of the East-India Company.

In short, in deciding upon the various questions that arise upon so unnatural and strange an empire as that we have established in India, we must judge events as they arise—we must know all facts and details—we must keep in mind the wise observation of Edmund Burke: “I have lost all opinion,” said that great orator, “of your *swaggering majors*, having ever found the “truth lurk in the little minor of circumstances.”

Having made these general observations, I will proceed to the questions immediately before us. It appears that the first conference which the chairs had with the Duke of Wellington and Lord Ellenborough, was merely preliminary. The prime minister and the President of the Board of Control wished “to ascertain “what the views and intentions of the Company would “be in the event of its being considered expedient to “continue to them the government of India, but without the monopoly of the China trade?” This negotiation went no length to pledge either the directors or the ministers to any one point whatever. The ministers sought the information, “because it might be necessary “to notice the subject in the King’s speech.” Now, as no notice was taken of it in the King’s speech, the obvious inference is, that nothing occurred so specific as to warrant ministers to make any communication to the public upon the subject.

The following paragraph in the preliminary papers laid before the court is worthy of notice, merely because it tends to enable us to judge, in a certain degree, how far the correspondence entitles the Directors to our confidence. It appears that, in their communications with different ministers, and at different times, they

have been guided by the same views and principles. The Court entirely concurred in the answer given to the question propounded by the Duke of Wellington and Lord Ellenborough, which was, that the chairman and deputy chairman "were satisfied that the Company had no view, with respect to the government of India, beyond that of being a useful instrument in the execution of an important national trust; and that they would not be indisposed to continue their services to the public, provided the requisite means were ensured to them by which they might be enabled to administer the government consistently with their own character, and for the benefit of this country and of India."

From this paragraph two inferences may be drawn—one, that this negotiation was merely preliminary; and the other, that the Directors professed the same language, at an interval of nearly three years, to different ministers of the crown, with respect to the motives which would induce them to proceed with the government of India. It is not necessary, perhaps, to notice farther any of the preliminary parts of these communications. I shall therefore come to the consideration of the "Paper of Hints." I will not enter into all the details of this paper, but will confine myself to three subjects, which are so material that they appear to me to involve the whole question upon which this court is called on to deliver their opinion. If the negotiation takes the turn which I hope it will, I am of opinion that the Court of Directors will still continue to be a strong, independent, intermediate body between his Majesty's ministers and India. If that point is admitted, it will be easy to settle

and arrange all the rest ; but I am most anxious that the details should be so arranged as clearly to define the principles on which the government is to be constituted.

I shall now call the attention of the Court to the three great points,—first, the cessation of the China monopoly ; secondly, the security proposed for the payment of the annuity ; and, thirdly, the political functions to be exercised with respect to India. As to the China monopoly, I think the proposition with respect to it might be modified. It is not, in fact, a monopoly ; but I give it the name which ministers have applied to it. I agree with the Hon. Director (Mr. Tucker) in many of his propositions on this subject. The Directors ought certainly to contest that which they fairly have a right to contest ; it is their duty to warn the nation and individuals of the danger to which the country may be exposed if this plan is adopted to its full extent ; but, at the same time, it also becomes their duty to give way on those points for which they cannot successfully contend. They should show that they will not tamely surrender their judgments ; but that while they make the best stand in their power, they will be ready to accommodate themselves to circumstances which they cannot control.

When I differ from any course of policy pursued by the Directors, I am as ready to state my opinion, as I shall be when I differ from the policy adopted by ministers ; and I must say, that I strongly regret that ten or twelve years ago British subjects were not, with respect to the China trade, placed on the same footing as foreigners. (*Hear, hear!*) I have not adopted this opinion without being aware of the many arguments

that may be urged against it; but being sensible of the growing desire of the nation for free trade, and of the interests arrayed against this Company, I did think it desirable that concession should be made; that those interests should, as far as practicable, be conciliated; and those who were anxious to trade with China, with the same privileges that foreigners did, should have been associated in friendly communication, and unity of action, with the East India Company. These are my feelings on the subject; and now when the question of opening the trade altogether is to be decided by the wisdom of Parliament, I must hope great care and caution will be used. I apprehend danger from abrupt measures. Undoubtedly it is in the power of Parliament to make this great change at once, and of free merchants to fit out ships, and to send them to China; but from all I have heard or read on the subject, I am inclined to think that another party's consent is requisite to any arrangement regarding this trade, and that is, the consent of the Chinese government. (*Hear, hear!*) I deny altogether that any analogy exists between our commercial relations with China and those with India. The Chinese, from the very first day of our connexion with them, have been and in my opinion, wisely, jealous of our encroachments; and at a much later period they were witnesses of the war with the Burmese—a nation much nearer to them than those in India, and with whom they were more closely connected. Under all the circumstances of the case, I do not believe that there exists any disposition on their part to make greater concessions than they have already done. In India, a great market has been opened, and a great revolution

effected in the commercial world, by the reduction which has taken place in the value of almost all articles of trade, through the vast increase of raw material, and the employment of machinery, and a thousand other improvements; but, as I said before, China is a country which bears no analogy to India, and the government of that empire has no disposition to allow you to go ten yards beyond the precincts originally allotted to you. A petition presented to Parliament on the 28th June, 1831, from certain merchants in China, contains language which bears me out in all the statements I have made with reference to the difficulties against which persons in their situation have to struggle.

The petitioners state, that “ while they acknowledge
 “ as an undeniable principle, that foreigners should yield
 “ obedience to the laws of the country in which they
 “ reside, they submit that this doctrine cannot be main-
 “ tained in the case of a government which, like the
 “ Chinese, withholds from foreigners the protection of
 “ the law, and whose power is felt only in a system of
 “ oppression, practised on the principle that other people
 “ are placed many degrees below them in the scale of
 “ human beings.”

I am not much acquainted with this matter; but this at least I know, that there is no nation which assumes pretensions to be above the laws and usages of other countries in a greater degree than the English. (*Hear, and laughter.*) I do not wonder at the Chinese being jealous of persons so prompt to convert indulgences into rights. I do not mean to say that the sentiments entertained by these gentlemen are responded to in this country; but I think it essential to the interests of all

parties concerned, and especially of those merchants who are desirous to engage in the commerce with China, that the whole truth should be told, and that they should be fully warned of the hazards to which they are exposed; and then, if they persevere in embarking in that trade, they will do so with their eyes open. It is a fine thing to talk of the insulted honour of England; but if assistance is to be given by this country to the merchants trading to China, in every little quarrel in which they may be involved with the Chinese government, consequences of the most serious nature will be produced. It is assumed in the correspondence which I hold in my hand, that the Company's agents have been engaged in these disputes. I can only say, that, knowing the temper and character of the Chinese, I am surprised that so few disputes have taken place. We all know how those disputes have begun and ended, but it may be difficult to pronounce what may happen in future. We well know what benefits the country at present derives from its commerce with China, but when this change is made, the future is speculation. But in this question of opening the trade with China there is a point of serious importance involved, which it behoves the King's ministers well to consider. Supposing a war should take place with China, or it becomes necessary to send an armament to that country (the East-India Company having no concern in the Chinese trade)—by whom will the expenses be paid?—This is a very serious question as it affects the property of the proprietors. (*Hear, hear!*) These are circumstances which ought to be well considered before a change, like the one proposed, is made. I will not enter into all

the probable consequences of the opening of this trade—I will not now discuss whether the merchants engaged in it are likely to reap profit or loss—I only state a few leading facts, which tend to make me regret that the proposed change is to take place at all; because I think, in the first place, that it is nearly impossible for the Company to conduct the political government of India without the assistance derived from this trade; and because, in the second place, it furnishes a sure and certain remittance to this country, out of which the dividends of the proprietors, and the annual stipends and pensions of the officers and servants of the Company, are paid. (*Hear, hear!*) That provision will be made for these objects by negotiations with his Majesty's ministers, and by the liberal wisdom of Parliament, I entertain no doubt; but, at the same time, it cannot be denied that the question is one of great difficulty.

Having made these few remarks, I shall leave this part of the question to be discussed by those who are better acquainted with the subject than myself, and proceed to make some observations on the nature of the security proposed by his Majesty's ministers for the payment of the dividends of the proprietors. I entirely agree with the Court of Directors in their opinion that they have a fair right to expect that the security will be rendered more certain than it is by the proposed plan of Government; and that it will be guaranteed in a manner to remove all those doubts which the proprietors cannot avoid feeling with regard to it, if it should be limited to the territorial revenues of India, with a balance against them, notwithstanding

that a most unsparing system of reduction has been carried into effect,—and with a sinking fund amounting to no more than 1,200,000*l*. I cannot help thinking that the Court of Directors have, in this instance, acted with a degree of moderation for which the circumstances in which they are placed constitute perhaps their justification; but I do not wonder that there is found one dissentient member among them who thinks further security ought to be obtained. I have no desire to split straws; and having generally expressed my approbation of the conduct of the Court of Directors, I will only add that I am quite astonished at the rejection by ministers of the very moderate proposal to add 800,000*l*. to the guarantee fund. I am not, however, going to enter into the financial part of the question; but I boldly assert that I take no desponding view of the condition of India, provided that the government is so framed as to give a prospect of security and permanence to that great empire. There is, however, one point connected with this subject which creates no small alarm in my mind. So long as the Company exists, it is necessary, and never more so than at the present period, that a close union should exist between the proprietors and the Court of Directors, however that court may be composed. (*Hear, hear!*) The existence of the Company under any other circumstances is impossible; and if it is meant that the proprietors and directors shall be separated and divided, the sooner a new plan for the government of India is brought forward the better. I should be sorry to make any remarks which in any way may reflect unjustly on the conduct of my Right Hon. Friend who has been

the organ of ministers in these negotiations, because I am certain that there are a thousand recollections which must make his present task the most painful one he ever undertook. (*Hear, hear!*) But I cannot help commenting on whatever appears in my opinion to cast a doubt on the position of the proprietors, because on the clear understanding of that depends the settlement of this question.

The Right Hon. Gentleman said in his letter of the 12th of February, that his plan made the connexion between the directors and the proprietors closer than ever; and he proceeds to make the following statement:—"I must, however, add, in reference to this subject, that while the Government deeply feel the obligation of providing for every fair and just claim that can be preferred on behalf of the proprietors, it is from other and higher considerations that they are led to attach peculiar value to that part of their plan which places the proprietors on Indian security. The plan allots to the proprietary body important powers and functions in the administration of Indian affairs; and in order to insure their properly exercising such powers and functions, his Majesty's Ministers deem it essential that they shall be linked and bound, in point of interest, to the country which they are to assist in governing. The measure, therefore, of connecting them immediately with the territory of India, is evidently not an incidental or immaterial, but a vital, condition of the arrangement; and in proportion as this condition is dispensed with, the advantages of the arrangement are sacrificed."

The Right Hon. Gentleman afterwards states, in his letter of the 21st of March,—“ In reference to one of
 “ your remarks I must observe, that the term of the
 “ annuity is a question to be kept entirely separate
 “ from that of the duration of the Company’s charter.
 “ The former is a fair subject of negotiation with the
 “ proprietors, as affecting the pecuniary value of their
 “ property; the latter, as involving solely a political
 “ trust, must be determined exclusively in reference to
 “ the national interests of Great Britain and India.”

It is subsequently intimated that the annuity may be extended to a term of forty years, and that the Court of Directors shall continue for fifteen years. Now, I want to know what we are to do when we lose those gentlemen within the bar? Are we to meet here? Will we any longer be identified with the Government of India? Will we not then have resigned our right and interest in the charter, which we now possess? I do not understand what functions will be given us, or whether, after the adoption of a new system, we are to meet here to receive our quarterly dividends. While we possess the privilege of electing the Court of Directors, we may so far be said to have a control over those who are to govern India; but I am ignorant whether we are to elect a new Court of Directors, when the present one ceases to exist. (*Hear, hear!*) I consider this as the commencement of negotiations; and I have no doubt that Ministers will be able to explain these points, as we have a right to expect, to our satisfaction.

I cannot boast of possessing much property; but I have placed a great portion of what I have in the security of

the funds of this Company, which shows, as far as I am personally concerned, my confidence in the government of the Company. I am aware that there are expressions, which I am sorry for, in the President of the Board's communication, that have excited alarm. I do not believe that any minister will propose measures which can have the effect of unjustly depreciating that property. At all events, I am sure that we shall not, by defending our rights to the utmost, put ourselves in a worse situation than we would have been placed in by at once consenting to all the propositions of Government. I am quite sure that the Parliament of Great Britain, one of the first commercial countries in the world, will, at a moment when it may desire to place our charter in abeyance, pay due respect to every right belonging to this great commercial body. (*Hear, hear!*) I make no reference to the territorial debt of India; that stands on distinct and separate grounds. It was contracted by the Company with the knowledge and sanction of Ministers.

To come to any other conclusion than what I have done upon this subject, is to anticipate the subversion of those just and liberal motives which have ever ruled the decisions of Parliament: which, while it takes that course which it deems expedient and politic, will take advantage of no circumstances which appear almost to place the Company at its mercy—it will violate no rights. When serious results to the interests of the Company were apprehended on the renewal of the charter in 1813, the author of an able pamphlet, published at that time, observed,—“ The reign of general principles has long “ since passed away, or rather has not yet commenced

“ in the world ! Man is the creature of expedient, and
 “ compromise is the law of his condition. If, forsaking
 “ the course that has been traced to us by experience,
 “ we are to tempt the region of untried speculation, we
 “ may begin with tearing every commercial treaty from
 “ the archives of the state, and commit half our
 “ statutes to the flames.”

It is the duty of the Court of Directors, as far as possible, fearlessly to support the interests of their constituents, and to procure the most liberal compromise, viewing the situation in which they are likely to be placed as a matter of necessity, not of choice.

I now come to that part of the question which, in my mind, surpasses all other considerations, and, by its magnitude, sinks into comparative insignificance every other point which I have as yet treated ;—I allude to the means of governing the extensive empire of India, containing a population of 100,000,000 of men, for whose welfare and prosperity we are responsible ! The great question is, what are the means which we possess to promote the happiness and well-being of the people whom we have to govern ? (*Hear, hear !*)

With respect to the government of that empire, I lay it down as an incontrovertible principle, that such is the nature of the various materials composing it, and such the danger to which it is daily exposed, that it requires the utmost care and most constant vigilance to maintain it in tranquillity and promote its prosperity. In national governments a great crisis sometimes occurs, which is marked by the historian as one of danger ; but in India every event is a crisis. A few men being killed by robbers require a company of our troops to be sent.

If they are defeated, a battalion must be sent; and if that does not do, an army must be marched to the spot,—for we cannot retreat. It is the law of our existence, as rulers of that empire, that we must not yield or give up a single point. The imprudence of a political agent or of the commander of a body of troops may place us in a state of the greatest danger and difficulty. Such is our condition, that not only the honour but the power of the nation must be vindicated. (*Hear, hear!*) I have known the mere occurrence of one small victory gained over us vibrate through India for twenty years. In short, our situation requires that India should be governed by a strong government, carried on as it hitherto has been, and aided with as much ability and integrity as it is possible to surround a government with. I affirm that it must be absolute, but firm and just, subject to all the checks which the law can provide, and conducted under the deepest responsibility; but I assert it as a proposition not to be denied, that unless the government of such a country as India is strong in all its branches, it will be impossible for Great Britain to preserve that empire. (*Hear, hear!*)

I am aware how desirable it is to place checks on the exercise of power; but of this I am certain, that if these are too multiplied, and measures are adopted the effect of which shall be to weaken the power of the Government, we may depend on it that it will be impossible to preserve India. (*Hear, hear!*)

Entertaining these feelings on the subject, I cannot conceal from myself that the state of that country is becoming every day more dangerous. I consider the proposition for allowing individuals to proceed to

the different presidencies without licenses as fraught with great danger and difficulty, and as likely to interfere prejudicially with the government of the Indian empire. (*Hear, hear !*) We all know the difficulty of obtaining employment in this country ; and I fear that many persons will be tempted to proceed to India for the purpose of improving their fortunes, without either skill, talent, or capital to enable them to obtain their object ; but God forbid that we should ever have European pauperism in India ! (*Hear, hear !*) No man is more sensible than myself of the benefits which India has derived and will derive from those who possess capital, genius, and enterprise. They infuse energy into the character of the natives, and develop the resources and capabilities of the country ; but I dread the influx of visitors of a different class ; and I never will consent to any blind sacrifice to public opinion when legislating on this subject. (*Hear, hear !*) Again I repeat, that India requires a strong government, conducted by men who will face calumny, and whose only fear is the disapprobation of their own conscience. (*Hear, hear !*) These persons, however, require efficient protection in England ; and it is on this as well as other grounds that I have formed my decided opinion, confirmed by long experience, that India cannot be preserved in prosperity unless there exists a strong intermediate body between that empire and the throne. (*Hear, hear !*) That is now more necessary than ever.

I do not desire to touch on the changes which have taken place in this country further than to say, that they are not calculated to increase the power of the

executive part of the British Government. In speaking of the Ministers, I have made no distinction between Whigs, Tories, or Liberals : they must all court public opinion. The interests of India may be sacrificed to gratify popular opinion, or viewed by ministers of the day as secondary, and altogether subordinate to those of England. (*Hear, hear !*) With these impressions, I am now, as I have been always, of opinion that the government of India cannot be administered with any safety, except by an intermediate body, acting under proper control, but strong and respectable enough to stand independent of his Majesty's Ministers. This body should look upon India as a primary object, and govern it for itself. (*Hear, hear !*) This conviction never can be erased from my mind. It is the only mode by which our Eastern empire can be saved from sharing, not only in the vicissitudes of the politics, but the parties in England. I had intended at one period to have gone more into detail on the subject of the correspondence that has passed between the Government and the Court of Directors ; but, besides being unwilling to occupy the time of the Court, I am satisfied on reflection, that it will be better, at the present stage of the discussion, to confine myself to general topics. I entirely concur with the directors in their opinion of the plan proposed by ministers ; and I think, after giving the matter all the consideration in my power, that it will leave the Company a denuded body, wholly insufficient for the duties it has to perform. There are many persons who know that I was bold enough, twenty-five years ago, to publish my sentiments with regard to the government of India, and to give

opinions, which I have since repeated, respecting necessary revisions in the form of the home government ; but I always thought, and still continue to think, that the object of every alteration should be to strengthen the intermediate body. The very contrary, however, I am sorry to say, will be the effect of the proposed plan. It is to its fundamental principle I object, which weakens where it should strengthen. When the Company are deprived of all the influences and advantages for carrying on the government of India which they have hitherto derived from commerce, but particularly the China trade, they should, if retained at all in the scheme as an instrument of rule, be on a footing that gives them weight at home and respect abroad. I shall not dwell on details. I concur in what has been stated by the Court of Directors, with respect to their power of recall of governor-generals, governors, &c. &c. I have seen a good deal of the government, both at home and abroad ; and I am not aware that the privilege, possessed by the Court of Directors in this and other matters, has ever been exercised without the consent of Government. Still there is use even in the name of power being preserved, under whatever circumstances it is exercised. This applies particularly to despatches to which the Court of Directors did not assent being signed, as now proposed, by their secretary, acting under orders from the Board of Control ; an unnecessary departure from usage, which will weaken authority, for those public officers and others in India, who are accustomed to consider the Company as their ruler, will, by the proposed alteration, be made aware of any doubts or differences that may arise between that body

and the Board of Control. I do not mean to say that ministers mean to seize an undue portion of authority, but certainly there were symptoms which show an encroaching spirit,—a desire to usurp power under a semblance of moderation. (*Hear, hear !*) If the proprietors make the concessions demanded, where will they stop? where can the Company make their stand? I will now read an extract from a speech which was delivered within these walls on the 5th of January, 1813, when propositions were made which were afterwards greatly modified, and when the proprietors made a stand which did them infinite honour.

A Proprietor.—By whom was the speech spoken?

Sir J. Malcolm.—By Mr. Robert Grant. (*Hear, hear !*) “ I do not mean,” said he, “ to insinuate that
“ the government, — and I would observe, that by
“ that term I do not mean this or that government,
“ but the national government,—entertain a deliberate
“ and systematic design of annihilating the Company ;
“ but it is in the nature of things,—it is in the nature
“ of power,—to be encroaching and aggressive ; and if
“ this train of consecutive aggressions is to continue, it
“ is too easy to conceive what will be its termination.
“ Left in possession of all our political functions, but
“ stripped one by one of all the means and facilities
“ which we possess for the exercise of those functions,
“ we shall at length be compelled to resign everything
“ without a struggle, and shall then have the comfort
“ of being told that it is a voluntary surrender. The
“ edifice will be permitted to remain entire and un-
“ touched ; no hostile hand ostensibly stretched out
“ against it ; no warlike engine threatening its walls ;

“ but, in the meantime, it is gradually undermined ; and
 “ when it collapses with a great ruin, it will be said to
 “ have fallen with its own weight. The familiar, but
 “ lively and happy illustration employed by a great
 “ departed orator in Parliament may be applied to this
 “ subject: ‘ we shall be check-mated with all our
 “ ‘ pieces on the board.’ ” (*Hear, hear, hear !*) I think
 I have said enough on this part of the subject to express at least my own opinion, that if government mean to leave the Company an efficient part of the administration of India, that body ought not to have its power diminished but increased. I care not exactly as to the mode in which this is done ; but I think it essential that it should be effected ; and, among other measures, that complete publicity should be given to their proceedings. (*Hear, hear !*) I can declare from long experience that no government ever existed whose public functionaries required less concealment than the Indian. I desire nothing but fair publicity ; and in this will consist their best defence against calumnies, individual misrepresentations, interested petitions, or the undue acts of the English Government. If the Company has the independence and power I have stated, they will be rendered equal to all their duties, and will act as a check on the Board of Control fully as much as the Board of Control acts as a check upon them. They have already had this effect to a great extent ; and the publication of those proceedings which are important will render the benefit still greater. I am happy to find ministers disposed to accede to a proposition I made when in Parliament, to refer pecuniary Indian claims of an old date to an independent autho-

rity or judicature: all such proceedings should be public. With a view to the good government of our Eastern empire, they may depend upon it, publicity is the great object. It may often be inconvenient,—it may cause delays,—but it will check one hundred times greater evils than it creates. (*Hear, hear !*)

I come now to that part of the correspondence which relates to the position in which the proprietors are in future to stand; and I must confess that I cannot comprehend what their duties are to consist of, under the proposed plan, except electing the directors. There can be no doubt that that power is a very important and valuable one, and that it connects them in a great degree with the good government of India; but its importance will entirely depend on the extent of the powers intrusted to the Court of Directors. What, let me ask, will be the use, or what the satisfaction, in their electing a body whose duty shall be restricted to that of subordinate agents; and who, in fulfilment of Burke's prophecy, shall have dwindled into clerks to the Board of Control! (*Hear, hear !*) I have no hesitation in saying, that from the great changes which have taken place—from the nature of the vast empire of India—from the great number of their civil servants, and the amount of the army in that country—from the great and increasing European population,—and from other various and complicated considerations,—without something like an Indian public in England, the empire of India cannot be preserved. (*Hear, hear !*) In my opinion, efficient protection must be given against the encroaching spirit of persons who enjoy power at home, and against the pretensions set

up by individuals in India, under whose instructions the natives are advancing, not only to dispute, as they are perfectly justified in doing, legal points with the Company, but to question the extent of their rights, privileges, and power. Impressions of our strength and unity, which constitute our strength, are daily impaired. India has undergone great changes since the discussions on the last charter in 1813. Many opinions and maxims regarding its rule, as well as that of our own country, have been rendered obsolete by a rapid succession of events. If we foresee, in the operation of changes at home and in India, results which will weaken local authorities abroad, and destroy the confidence of those high and honourable bodies of men on whose wisdom and gallantry the safety and prosperity of our Eastern empire must always depend, we must, besides the establishment of an intermediate body, adopt means for their defence against those calumnies and attacks with which they will be continually assailed in their own country. Public opinion, I affirm, in all its shapes,—from the clamour of a multitude to its most calm and rational expression,—is now all-potent in England; and unless there is a body of men, connected by common interests, common feelings, and common ties,—who have respect from their condition and character, if not from number,—arrayed to defend India, I shall feel slight hopes as to the long continuance of that empire in health and prosperity. I shall here state my sentiments upon this subject, to which I have given the greatest attention. I have been long satisfied that it is indispensable there should be an Indian public in England,—I mean a body who take a deep interest

in Indian affairs, and whose duties and privileges connected them by higher motives than the ties of pecuniary concerns with our Eastern empire. I see no better mode in which such a body can be formed than by adding India bond-holders, who have the same interest in the prosperity of India, to the stock-holders, and forming them into a constituency; who, besides electing directors, may return some members to parliament, chosen from persons with specified qualifications, who will not only represent the interests of India, but give great strength to an intermediate Government. I will not dwell on this subject;—I have expressed my opinions upon it in the House of Commons; I have published them in a recent work on the Government of India; I will only assert, that at this moment there is not a borough, with 2,000 inhabitants and 300 ten-pound houses, which has escaped schedule A, that has not its local interests, its petty corporation, and its constables, better defended against attack or calumny than the vast population of India, and the thousands of public servants and British residents in that distant quarter of the globe.

I am aware of similar claims to that representation, of which the Reform Bill has deprived them, from other quarters. I deplore the condition of the West Indies; and am ready to admit that, as a nursery for seamen, in a commercial view, and, above all, as a source of revenue to Great Britain, it surpasses India; but I contend there is not the slightest analogy between the latter, either with the West Indies or any other of our foreign possessions. It is not on the comparative narrow grounds of commerce, or of wealth, that I plead the cause of

India to representation and protection,—it is to enable England to discharge the awful obligation of governing one hundred millions of human beings. I desire a public body connected with that vast empire, which shall comprise numbers with whom the Europeans and natives of India are acquainted, and to whom they give continued confidence; and such a body would early become possessed of that of the public in England. An Indian public, formed as I have stated, can never inflict injury on the constitution of England, and it will give strength and weight to that which we are about to form for India. Some such plan must, I conceive, have been in the contemplation of the President of the Board of Control; for assuredly he never would have spoken of our important functions and high duties as a Court of Proprietors, were it meant to limit these functions and duties to the election of a director once in two years,—to a court which I concur with the directors in thinking will, if the plan in its present shape be carried into effect, become a government board. Many objections are, and may be, offered to the plan I propose; but in my mind they are trivial when the object is considered. By some it has been urged that persons who have passed much of their life in India want the knowledge of their own country that is a necessary qualification for their duties as statesmen in England. This I will not admit; and if it were so, I could only state, that in political as well as in commercial concerns, “Make the market, and you will have the commodity;” men will be stimulated to exertions abroad to recommend themselves to distinction at home; their minds will be elevated by the prospects before them; and able and

ambitious individuals, instead of sinking into apathy or indulgence when they retire to their native land, would continue their services to their country ; and, in my opinion, without their aid at home as well as abroad, India cannot be well governed, nor indeed preserved to this country. I must, however, conclude, and can only entreat the proprietors not to be alarmed at the prospect before them. I am aware that we have to contend with public opinion in the question of the China trade, and it may be found too strong for us ; but I am not of opinion that any further aggression against our interests is contemplated by the people of this country. We may be sure that we shall be supported by public opinion in demanding the establishment of an efficient government for India, and security for the payment of our dividends and principal ; at least such is my present belief in the justice of my countrymen. But if it is meant that we are to bow to that popular clamour which has been raised against us, I must say, that rather than be subject to the indiscriminating tyranny of such authority, I would prefer living under the most absolute monarchy. (*Hear, hear !*) I do not now allude to that species of opinion which is grounded on mature reflection, and held by persons fully competent to understand the question under consideration, but to the fickle opinions of the multitude. Such, if powerful, may on excited prejudice, if they have no present sins against the Company, find plenty of causes for its destruction. They may state one similar to that given by the wolf to the lamb, and hang this goodly corporation for the sins of its grandfather ; or, like Shakspeare's Roman mob, who,

seeking a victim, and disappointed because Cinna, whom they met, was not as they supposed a conspirator, but a poet, voted him death for his bad verses! (*Laughter.*) Such, thank God, is not the state of England; and I can never believe that the sound opinion of the people of that country will be found against the Company, because they entertain a constitutional jealousy of power, and are prepared to defend, in all matters consistent with the national interests, their own rights and privileges; I therefore consider, that if the Court of Directors proceed, as they hitherto have done, with moderation, but firmness, they will receive support from the public. (*Hear, hear!*) I certainly regret that the Court of Directors did not go before parliament and petition to have their case heard, when requested to do so by Ministers. In my opinion they had a stronger case to place before the public than even in 1813. Still they deserve great praise for not having withheld any documents, however voluminous, or kept back any witness whose testimony is important. The evidence given by the officers of the court, and of the Board of Control, is most valuable; and I do not believe that more able men are to be found in any offices; and I advise those who have not yet gone through that evidence to read it attentively, particularly those of the secretaries in their various departments, and the able testimony of the civil auditor of the Company. (*Hear, hear!*) I thank the Court most sincerely for the patience with which they have listened to me; and, in conclusion, I have only to observe, that in my opinion the Court of Directors deserve our gratitude, for having, in the circumstances in which they are placed,

most ably defended the interests of the proprietors ; and above all, for having, from the first negotiation with the Duke of Wellington, persevered in the principle of not yielding to any plan except one by which they may be enabled to promote the interests of the empire of India. (*Hear, hear !*) That is the main object ; in it all minor ones merge. The resolutions I mean to propose go to give strength to the directors for the fight which is, in my opinion, just commenced. Though it would appear that his Majesty's Ministers desire to bring it to a short issue ; they have another plan, they inform us, for the government of India, if we reject that proposed. Where is it ? If better, it is their duty to bring it forward. If I thought it better, it should have my cordial support. I would despise myself if any lesser considerations weighed for a moment against what has been my object, as a humble individual, through life, the promotion of the happiness and prosperity of the people of India. What I desire, to effect that object, is, that the Indian government in England shall be so constituted as to be able to maintain itself, and those under its authority abroad, against all encroachments ; otherwise we shall have a body responsible without power, and created only to fall through its own weakness. I shall now propose the following resolutions :—

“ That having attentively considered the correspondence which was laid before the proprietors on the 25th ultimo, this Court must, in the first place, express their cordial approbation of the conduct of the Court of Directors, in maintaining, as they have

“ done, with judgment, zeal, and ability, the rights and
 “ interests of the East India Company.

“ That on reviewing the intimate connexion which
 “ has so long subsisted between India and the Com-
 “ pany, this Court desire to record their conviction,
 “ that the Company can have no other object in under-
 “ taking to administer the territorial government for a
 “ further term, than the advancement of the happiness
 “ and prosperity of our native subjects; and that if
 “ Parliament in its wisdom should consider, as his
 “ Majesty’s Ministers have declared, that that great
 “ object may be best promoted by continuing the
 “ administration in the hands of the Company, but
 “ divested of their commercial character, the Company
 “ having, through the Court of Directors, suggested, as
 “ it was their duty to do, the difficulties and dangers,
 “ political as well as financial, which beset the dis-
 “ solution of the connexion between the territorial and
 “ the commercial branches of their affairs, will not
 “ shrink from the undertaking even at the sacrifices
 “ required, provided that powers be reserved to enable
 “ the Company efficiently to administer the govern-
 “ ment, and that their pecuniary rights and claims be
 “ adjusted upon the principle of fair and liberal com-
 “ promise.

“ That the Company, however, looking to the present
 “ and prospective state of the Indian finances, to the
 “ aid which the territory derives from the trade, and to
 “ the probable difficulty of effecting remittances from
 “ India under the proposed system, are of opinion that
 “ it is not reasonable that ‘ the Company’s assets, com-
 “ ‘ mercial and territorial, with all their possessions

“ ‘ and rights, shall be assigned to the Crown on behalf
 “ ‘ of the territorial government of India,’ in exchange,
 “ as proposed by his Majesty’s ministers, for an annuity
 “ of 10½ per cent. for 40 years, payable in England out
 “ of the territorial revenues, and redeemable at the end
 “ of that period at the rate of 100*l.* for every 55*l.* of
 “ annuity, except on the following conditions, viz. :—

“ First : That the sum to be set apart for a guarantee
 “ fund be extended to such an amount as upon reason-
 “ able calculation will be sufficient, with the accumula-
 “ tions during 40 years, to redeem the annuity at the
 “ expiration of that term, and that in the event of India
 “ failing in any one year to remit sufficient funds to
 “ pay the dividend, the deficiency shall be supplied out
 “ of the guarantee fund ; any sums which may be taken
 “ for that purpose being made good to the fund by sub-
 “ sequent remittances from India.

“ Secondly : That the Company, exercising the same
 “ powers as they now possess under their charter, shall
 “ continue to administer the government of India for a
 “ defined period, not less than 20 years; and if deprived
 “ of it at the expiration of that term, or at any time
 “ subsequently thereto, they shall be allowed the option
 “ of demanding payment of the principal at the rate of
 “ 100*l.* for each 5*l.* 5*s.* of annuity, and whenever paid
 “ off they will be entitled, if they shall see fit, with their
 “ capital or any portion thereof, to resume their un-
 “ doubted right to trade, which it is now proposed by
 “ his Majesty’s ministers should be in abeyance.

“ Thirdly : That during the period of the Company’s
 “ administration of the territorial government, all mea-
 “ sures involving direct or contingent expenditure shall

“ originate with the Court of Directors, and be subject,
 “ as at present, to the control of the Board of Commis-
 “ sioners, under the restrictions of the existing law;
 “ and further, that sufficient powers be reserved to the
 “ Company to check, by a system of publicity to both
 “ houses of Parliament, or by some other means, any
 “ acts of the Board which may appear to the Court of
 “ Directors to be unconstitutional, to militate against
 “ the principles of good government, to interfere with
 “ substantial justice to our allies, or to invalidate or
 “ impair the security for the dividend; and

“ Fourthly: That a sufficient power be retained over
 “ the commercial assets to enable the Court of Directors
 “ to propose to the Company, and ultimately to the
 “ Board, for their confirmation, a plan for making suit-
 “ able provision for outstanding commercial obligations,
 “ and for such of the commercial officers and servants
 “ of the Company as may be affected by the proposed
 “ arrangements.

“ That the Court of Directors be requested to com-
 “ municate this resolution to his Majesty’s ministers.”

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